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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,784	09/27/2001	John McElwain	873.0100.U1(US)	3408
29683 7590 01/29/2008 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER NGUYEN, TUAN HOANG	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 01/29/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/965,784	Applicant(s) MCELWAIN ET AL.	
	Examiner Tuan H. Nguyen	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19, 20 and 22-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20 and 22-27 is/are allowed.
- 6) ☒ Claim(s) 1-17, 19 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*-See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response To Arguments

1. Applicant's arguments, see applicant's remarks, filed on 11/05/2007, with respect to the rejection(s) of claims 1-17, 19-20, and 22-30 under 35 U.S.C § 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bridges et al. (US PUB. 2003/0186695 hereinafter, "Bridges") in view of Mauney et al. (US PUB. 2005/0159107 hereinafter, "Mauney").

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges et al (US PUB. 2003/0186695 hereinafter, "Bridges") in view of Mauney et al. (US PUB. 2005/0159107 hereinafter, "Mauney").

Consider claim 1, Bridges teaches a method for operating a wireless communication system of a type that transmits system identification (SID) parameters to

mobile stations, comprising: storing a SID that identifies a home service provider for the mobile station (page 2 [0013] and page 3 [0028]); identifying a plurality of SIDs having a common spatial characteristic (page 7 [0064] i.e., an example of two cellular subscribers (read on "plurality of SID") who roam into a geographic area (e.g., Austin) from the same market (e.g., Dallas, read on "common partial characteristics"); storing the identified plurality of SIDs in a memory that is accessible by a mobile station (page 2 [0013] and page 3 [0028]); comparing a SID received from a wireless service provider to the stored plurality of SIDs (page 7 [0060]).

Bridges does not explicitly show that upon any one of the plurality of stored SIDs matching the received SID, declaring the wireless service provider as being a home service provider for the mobile station.

In the same field of endeavor, Mauney teaches upon any one of the plurality of stored SIDs matching the received SID, declaring the wireless service provider as being a home service provider for the mobile station (page 2 [0039]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use, upon any one of the plurality of stored SIDs matching the received SID, declaring the wireless service provider as being a home service provider for the mobile station, as taught by Mauney, in order to provide a wireless handset that has enhanced operating features, including the capability of operating either within a wireless network or outside of a wireless network in a direct handset-to-handset communication mode.

Consider claim 17, Bridges teaches a mobile station, comprising: a controller (page 17 claim 1); a wireless transceiver (page 1 [0008]).

Bridges does not explicitly show that at least one memory comprising a location for storing a home SID and other locations for storing a plurality of cousin SIDs, wherein a SID received through said wireless controller is declared by said controller to be associated with a home service provider if the received SID matches the stored Home SID or any one of the plurality of stored cousin SIDs.

In the same field of endeavor, Mauney teaches at least one memory, the at least one memory comprising a location for storing a home SID and other locations for storing a plurality of cousin SIDs (i.e., the wireless handset may include a memory device, such as a number assignment module (NAM), in which an assigned phone number (MIN) (read on "cousin SIDs") and a system identification code (SID) is stored to uniquely identify the home service provider for the unit), wherein the cousin SIDs are stored into said at least one memory under the direction of a prepaid service provider, and correspond to SIDs associated with one or more service providers that service a predetermined geographical area that is defined to be a non-roaming area of a customer of the prepaid service provider, wherein the home SID is stored in at least one memory without the direction of a prepaid service provider (page 2 [0039]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use, at least one memory, the at least one memory comprising a location for storing a home SID and other locations for storing a plurality of cousin SIDs, wherein the cousin SIDs are stored into said at least one memory under

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the direction of a prepaid service provider, and correspond to SIDs associated with one or more service providers that service a predetermined geographical area that is defined to be a non-roaming area of a customer of the prepaid service provider, wherein the home SID is stored in at least one memory without the direction of a prepaid service provider, as taught by Mauney, in order to provide a wireless handset that has enhanced operating features, including the capability of operating either within a wireless network or outside of a wireless network in a direct handset-to-handset communication mode.

4. Claims 4, 7, 9-10, 12, 15, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges in view of Mauney and further in view of McGregor et al. (U.S. PUB. 2001/0000777 hereinafter, "McGregor").

Consider claim 4, Bridges and Mauney, in combination, fails to teach the common spatial characteristic (information of the system operator code SOC) is comprised of a geographical area that corresponds to a postal zone.

However, McGregor teaches the steps of identifying, storing, comparing and declaring are executed only if the mobile station is classified as being in a Prepaid mode of operation (page 12 claim 25).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of McGregor into view of Bridges and Mauney,

in order to provide the mobile phone unit having an internal processor with accessible internal memory for storing the accounting program and call data for each call.

Consider claim 7, Bridges and Mauney, in combination, fails to teach displaying a message to a user for informing the user that the user is operating in a Prepaid mode with one of a plurality of system providers having SIDs that are associated with a geographical area that is the user's home geographical area.

However, McGregor teaches displaying a message to a user for informing the user that the user is operating in a Prepaid mode with one of a plurality of system providers having SIDs that are associated with a geographical area that is the user's home geographical area (page 12 claim 25).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of McGregor into view of Bridges and Mauney, in order to provide the mobile phone unit having an internal processor with accessible internal memory for storing the accounting program and call data for each call.

Consider claim 9, McGregor further teaches the common spatial characteristic is comprised of a geographical area that is defined by information received from a customer of a prepaid service provider (page 12 claim 25).

Consider claim 10, Bridges teaches a wireless communication system of a type that transmits system identification (SID) parameters to mobile stations, a list containing

a plurality of other SIDs having a common spatial characteristic (page 7 [0064] i.e., an example of two cellular subscribers (read on "a list containing a plurality of SID") who roam into a geographic area (e.g., Austin) from the same market (e.g., Dallas, read on "common partial characteristics"), the mobile station comprising a processor that is coupled to the at least one memory and that is responsive to a received SID for comparing the received SID to the SIDs in the list of SIDs (page 7 [0060]).

Bridges does not explicitly show that upon any one of the plurality of SIDs matching the received SID, declaring a wireless service provider that transmitted the SID as being the Home service provider for the mobile station.

In the same field of endeavor, Mauney teaches upon any one of the plurality of SIDs matching the received SID, declaring a wireless service provider that transmitted the SID as being the Home service provider for the mobile station (page 2 [0039]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use, a list containing a plurality of other SIDs having a common spatial characteristic; and upon any one of the plurality of SIDs matching the received SID, declaring a wireless service provider that transmitted the SID as being the Home service provider for the mobile station, as taught by Mauney, in order to provide a wireless handset that has enhanced operating features, including the capability of operating either within a wireless network or outside of a wireless network in a direct handset-to-handset communication mode.

Bridges and Mauney, in combination, fail to teach in mobile stations associated with a prepaid service provider at least one memory storing a SID that identifies a Home service provider for the mobile station.

However, McGregor teaches in mobile stations associated with a prepaid service provider at least one memory storing a SID that identifies a Home service provider for the mobile station (page 2 claim 25).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of McGregor into view of Bridges and Mauney, in order to provide the mobile phone unit having an internal processor with accessible internal memory for storing the accounting program and call data for each call.

Consider claim 12, McGregor further teaches the common spatial characteristic is comprised of a geographical area that is defined by information received from a customer of the prepaid service provider (page 12 claim 19).

Consider claim 15, McGregor further teaches a display for displaying a message to a user for informing the user that the user is operating in a Prepaid mode with one of a plurality of system providers having SIDs that are associated with a geographical area that is the user's home geographical area (page 12 claim 25).

Consider claim 28, Bridges further teaches the at least one memory is removable from the mobile station (page 5 [0046]).

5. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges in view of Mauney and further in view of Mizikovsky (U.S PAT. 5,983,115).

Consider claim 2, Bridges and Mauney, in combination, fails to teach the common spatial characteristic (information of the system operator code SOC) is comprised of a geographical area that corresponds to a postal zone.

However, Mizikovsky teaches the common spatial characteristic (information of the system operator code SOC) is comprised of a geographical area that corresponds to a postal zone (col. 2 lines 54-64, fig. 2 illustrates a map of the United State cities such as Seattle, Chicago, and Washington D.C. had the same SOC may be found in several different locations although on different frequency bands).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Mizikovsky into view of Bridges and Mauney, in order to locate a wireless service provider in a multi-service provider environment using a stored list of preferred service providers.

Consider claim 3, Mizikovsky further teaches the common spatial characteristic (information of the system operator code SOC) is comprised of a geographical area that corresponds to a ZIP code (col. 2 lines 54-64, Fig. 2 illustrates a map of the United State cities such as Seattle, Chicago, and Washington D.C. had the same SOC may be found in several different locations although on different frequency bands).

6. Claims 5-6, 8, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges in view of Mauney and further in view of Bamburak et al. (U.S PAT. 6,807,418 hereinafter, "Bamburak").

Consider claim 5, Bridges and Mauney, in combination, fails to teach if none of the plurality of stored SIDs matches the received SID, further comprising comparing the received SID to other stored SIDs, including at least one of a Partner SID, a Favored SID and a Forbidden SID.

However, Bamburak teaches if none of the plurality of stored SIDs matches the received SID, further comprising comparing the received SID to other stored SIDs, including at least one of a Partner SID, a Favored SID and a Forbidden SID (col. 11 lines 22-29).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Bamburak into view of Bridges and Mauney, in order to provide a method for locating a particular or desirable communications service provider in an environmental having a plurality of service providers.

Consider claim 6, Bridges and Mauney, in combination, fails to teach if none of the plurality of stored SIDs matches the received SID, further comprising comparing a received System Operator Code (SOC) to stored SOC's, including at least one of a Partner SOC, a Favored SOC and a Forbidden SOC.

However, Bamburak teaches if none of the plurality of stored SIDs matches the

received SID, further comprising comparing a received System Operator Code (SOC) to stored SOC's, including at least one of a Partner SOC, a Favored SOC and a Forbidden SOC (col. 11 lines 22-29).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Bamburak into view of Bridges and Mauney, in order to provide a method for locating a particular or desirable communications service provider in an environment having a plurality of service providers.

Consider claim 8, Bamburak further teaches the step of comparing includes a preliminary step of comparing the received SID to the stored SID that identifies the Home service provider for the mobile station, and upon a match declaring the service provider to be the Home service provider, and inhibiting the execution of the step of comparing the SID received from a wireless service provider to the stored plurality of SIDs (Fig. 4 col. 5 line 20 through col. 6 line 7).

Consider claim 19, Bamburak further teaches the Cousin SIDs are stored in a memory that is detachable from said mobile station (col. 7 lines 2-11).

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges in view of Mauney and McGregor, and further in view of Mizikovsky (U.S. PAT. 5,983,115).

Consider claim 11, Bridges, Mauney and McGregor, in combination, fail to teach the common spatial characteristic is comprised of a postal zone, such as a ZIP code.

However, Mizikovsky teaches the common spatial characteristic is comprised of a postal zone, such as a ZIP code (col. 2 lines 54-64, Fig. 2 illustrates a map of the United State cities such as Seattle, Chicago, and Washington D.C. had the same SOC may be found in several different locations although on different frequency bands).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Mizikovsky into view of Bridges, Mauney and McGregor, in order to locate a wireless service provider in a multi-service provider environment using a stored list of preferred service providers.

8. Claims 13-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges in view of Mauney and McGregor, and further in view of Bamburak.

Consider claim 13, Bridges, Mauney and McGregor, in combination, fails to teach if none of the plurality of other SIDs matches the received SID, the processor compares the received SID to other stored SIDs found in an Intelligent Roaming Data Base (IRDB).

However, Bamburak teaches if none of the plurality of other SIDs matches the received SID, the processor compares the received SID to other stored SIDs found in an Intelligent Roaming Data Base (IRDB) (col. 5 lines 41-48 and col. 10 lines 9-21).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Bamburak into view of Bridges, Mauney and McGregor, in order to provide a method for locating a particular or desirable communications service provider in an environment having a plurality of service providers.

Consider claim 14, Bridges, Mauney and McGregor, in combination, fails to teach if none of the plurality of other SIDs matches the received SID, the processor compares a received System Operator Code (SOC) to stored SOC's found in an Intelligent Roaming Data Base (IRDB).

However, Bamburak teaches if none of the plurality of other SIDs matches the received SID, the processor compares a received System Operator Code (SOC) to stored SOC's found in an Intelligent Roaming Data Base (IRDB) (col. 5 lines 41-48 and col. 10 lines 9-21).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Bamburak into view of Bridges, Mauney and McGregor, in order to provide a method for locating a particular or desirable communications service provider in an environment having a plurality of service providers.

Consider claim 16, Bamburak further teaches the processor first compares the received SID to the stored SID that identifies the Home service provider for the mobile

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station, and upon a match declares the service provider to be the Home service provider, and inhibits comparing the received SID the list of other SIDs (Fig. 4 col. 5 line 20 through col. 6 line 7).

9. Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges and Mauney, and further in view of Osmani et al. (U.S PAT. 5,815,807 hereinafter, "Osmani").

Consider claim 29, Bridges, Mauney and McGregor, in combination, fails to teaches the mobile station operates in a Postpaid mode.

However, Osmani teaches the mobile station operates in a Postpaid mode (col. 1 lines 42-49).

Therefore, it is obvious to one of ordinary skill in the art at the time the invention was made to incorporate the disclosing of Osmani into view of Bridges, Mauney and McGregor, in order to enhance a wireless communication device operates in a wireless communication system to provide a user of the device with portable communications.

Consider claim 30, Osmani further teaches the mobile station has both Postpaid and Prepaid modes (col. 1 lines 42-49).

Reasons for Allowance

10. Claims 20 and 22-27 are allowed over the prior art record.
11. The following is an examiner's statement of reasons for allowance:

The applicant's remarks, filed on 11/05/2007, have been carefully reviewed with updated search. Consequently, reasons for allowance of claims 20-25 are set forth in according to the applicant's remarks state on pages 8-18.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

12. Any response to this action should be mailed to:

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Commissioner for Patents

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Nguyen whose telephone number is (571)272-8329. The examiner can normally be reached on 8:00Am - 5:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Maung Nay A. can be reached on (571)272-788282. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information Consider the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tuan Nguyen
Examiner
Art Unit 2618

T.N.


NAY MAUNG
SUPERVISORY PATENT EXAMINER